

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR SUMMONS
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Duvaughn Delkeith Butler**

Case Number: **2:12CR00004**

Name of Sentencing Judicial Officer: **Honorable Andrew P. Gordon**

Date of Original Sentence: **September 25, 2014**

Original Offense: **Participation in a Racketeer Influence Corrupt Organization**

Original Sentence: **108 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **September 28, 2020**

Name of Assigned Judicial Officer: **Honorable Andrew P. Gordon**

PETITIONING THE COURT

☒ To issue a summons:

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.

Butler failed to report for scheduled drug testing on the following dates:

- a) October 19, 2020
- b) February 5, 2021
- c) May 10, 2021
- d) May 27, 2021
- e) July 5, 2021

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2. Debt Obligations - You shall be prohibited from incurring new credit charges, opening additional lines of credit, or negotiating or consummating any financial contracts without the approval of the probation officer.

- a) On April 7, 2022, the undersigned completed a check of Butler's credit report which showed that Butler had opened up six (6) new credit card accounts since starting supervision without permission from the probation office.

3. Be Truthful - The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

- a) On April 20, 2022, the allegation in 2(a) was addressed with Butler at the probation office. Butler was directed by the undersigned to bring statements for all six (6) of the afore mentioned credits cards so they could be reviewed, which he failed to do.

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **May 12, 2022**

Digitally signed by

Cecil B McCarroll III

Date: 2022.05.12

15:55:44 -07'00'

Cecil McCarroll

United States Probation Officer

Approved:

Digitally signed by

Brian Blevins

Date: 2022.05.12 15:22:45

-07'00'

Brian Blevins

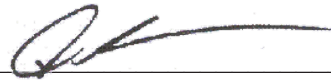
Supervisory United States Probation Officer

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THE COURT ORDERS

- ☐ No Action.
- ☐ The issuance of a warrant.
- ☒ The issuance of a summons.
- ☐ Other:



Signature of Judicial Officer

May 13, 2022

Date

RE: Duvaughn Delkeith Butler

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. DUVAUGHN DELKEITH BUTLER, 2:12CR00004**

SUMMARY IN SUPPORT OF PETITION FOR SUMMONS

May 12, 2022

By way of case history, Butler was sentenced on February 5, 2019, to 108 months custody followed by 3 years of supervised release for committing the offense of Participating in a Racketeer Influence Corrupt Organization. The Court also ordered that Butler pay restitution in the amount of \$50,575,123.45. On September 28, 2020, Butler commenced his supervised release in the District of Nevada.

As noted above in the allegations, Butler failed to show up for his drug tests on numerous occasions. Each missed test was addressed with him and he made up the test as directed by the undersigned, which was negative each time. Butler also completed his treatment as ordered by the Court.

On April 7, 2022, the undersigned conducted a random review of Butler's credit report which revealed that between the period of February 2021 until March 2022, he had opened a total of six (6) credit card accounts. Additionally, all six (6) account balances are either just under the credit limit or slightly over.

On April 20, 2022, the undersigned had Butler report to the probation office to address the credit card violations. Butler was also instructed to provide the most recent statement for each of the six (6) credit card accounts so the undersigned could review them. Butler reported as instructed but only provided statements on five (5) of the six (6) cards and some of the statements were missing pages. The undersigned was able to review the provided statements and the charges were mostly miscellaneous purchases such as fast-food restaurants or gas.

When asked about this, Butler stated that he makes enough money with his job but just wanted more money to spend on various things that he wanted. He also stated that he has not been gambling and that opening credit cards and making purchases on them has taken the place of gambling for him. The undersigned admonished Butler for these violations and reminded him that per his conditions, he is to obtain permission from the probation officer before opening new credit accounts.

Also of note, a few weeks prior to the discovery of the new credit cards the undersigned called Butler to address the fact that he was approximately \$700 behind in restitution payments. Butler had no excuse when asked about why he was behind. Shortly thereafter, the undersigned received a call from his mother advising that she would be making a \$700 payment to bring Butler back into compliance with his restitution payments. A few days after this call a review of his restitution account showed that a \$700 had been posted to his account on April 12, 2022. The probation office is concerned with this as it appears, he has chosen to direct his money toward paying his six (6) new credits cards instead of his restitution.

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The undersigned respectfully requests that a Summons be issued so that Butler can appear before the Court to explain these violations.

Respectfully submitted,

Digitally signed by

Cecil B McCarroll III



Date: 2022.05.12

15:56:18 -07'00'

Cecil McCarroll

United States Probation Officer

Approved:

Digitally signed by Brian
Blevins



Date: 2022.05.12

15:23:14 -07'00'

Brian Blevins

Supervisory United States Probation Officer